

MAY. 5. 2006 9:48AM 407-736-6440

RCVD USPTO

05 MAY 2006

NO. 3180 P. 1/10

10/527443

**DUPLICATE**  
**SIEMENS**

**FACSIMILE COVER SHEET**

**PRIVILEGED AND CONFIDENTIAL  
MEMORANDUM**

TO: Kaya L. Lewis Baltimore FROM: Ann Hickey, IP Specialist  
ann.hickey@siemens.com

Fax No.: 571-273-9822 Fax No: 407-736-6440

Phone: 703-308-9140 Phone: 407-736-6074

DATE: May 5, 2006

Number of Pages including cover page: 9

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Re: **10/527,433** filing date March 10, 2005  
First named applicant: Hans-Juergen Karnatz  
Attorney Docket No.: 2002P10529WOUS  
**Request for Withdrawal of Notification of Abandonment**

Per our conversation this morning, enclosed please find the original fax to the USPTO responding to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated October 17, 2005.

It is respectfully requested that a Withdrawal of the Notification of Abandonment be issued.

If you need to contact me I can be reached at 407-736-7064. Thank you, in advance, for your assistance.

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The information contained in this facsimile message may contain attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us. Thank you.

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**Siemens Corporation**

Legal and Intellectual Property  
Department

4400 Alafaya Trail  
Orlando Florida 32826

Tel: 407-736-2472  
FAX: 407-736-6440

\* \* \* COMMUNICATION RESULT REPORT ( OCT. 17. 2005 2:53PM ) \* \* \*

FAX HEADER 1: 407-736-6440  
FAX HEADER 2:TRANSMITTED/STORED : OCT. 17. 2005 2:49PM  
FILE MODE OPTION

ADDRESS

RESULT

PAGE

1799 MEMORY TX

USPTO

OK

8/8

REASON FOR ERROR OR LINE FAIL  
E-1} HANG UP OR NO ANSWER

E-2} BUSY NO FACSIMILE CONNECTION

**SIEMENS****FACSIMILE COVER SHEET**In the UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Hans-Juergen Kamatz

Application No.: 10/527,433

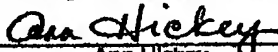
Filed: March 10, 2005

Title: UPDATING OF SOFTWARE STORED ON A COMPUTER OF A DATA  
COMMUNICATION SYSTEM

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

► FACSIMILE ATTN TO: KAYA L. LEWIS BALTIMORE FAX NO.: 703-746-6703

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE  
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**Certificate of Transmission under 37 CFR 1.8**I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on  
October 17, 2005.

Ann Hickey

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

- This facsimile cover sheet which includes a Certificate of Transmission under 37 CFR 1.8 (1 pg)
- Response to Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office bearing "date mailed" of 08/30/2005 (2 pgs, original + 1 copy);
- Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office to be returned with response (2 pgs);
- Declaration for Patent Application, Power of Attorney & Designation of Correspondence Address (3 pgs)

**Number of pages being transmitted (including this cover sheet): 8 pgs**

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**Siemens Corporation**Legal and Intellectual Property  
Department4400 Alafaya Trail  
Orlando Florida 32826Tel: 407-736-2472  
FAX: 407-736-6440

**SIEMENS****FACSIMILE COVER SHEET**In the UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Hans-Juergen Karnatz

Application No.: 10/527,433

Filed: March 10, 2005

Title: UPDATING OF SOFTWARE STORED ON A COMPUTER OF A DATA  
COMMUNICATION SYSTEM

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

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**Siemens Corporation**Legal and Intellectual Property  
Department4400 Alafaya Trail  
Orlando Florida 32826Tel: 407-736-2472  
FAX: 407-736-6440

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Hans-Juergen Karnatz  
Serial No.: 10/527,433  
Filed: March 10, 2005

Docket No.: 2002P10529WOUS  
Examiner: Not Yet Assigned  
Group Art Unit: Not Yet Assigned

Title: UPDATING OF SOFTWARE STORED ON A  
COMPUTER OF A DATA COMMUNICATION SYSTEM

17.October.2005

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE  
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Mail Stop PCT Missing Parts  
Commissioner for Patents  
P.O.Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office having a mailing date of 08/30/2005 and for which a period for response of two (2) months from the mailing date of said Notice is set to expire 10/30/2005.

Enclosed is a Declaration by the present Inventors and a copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office.

Please charge Deposit Account No. 19-2179 for the surcharge of \$130.00 in accordance with 37 CFR 1.492(h). Issuance of a formal Filing Receipt is respectfully solicited.

Respectfully submitted,



John P. Musone  
Registration No. 44,961  
(407) 736-6449

Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, NJ 08830

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to  
703-748-8703 at the Patent and Trademark Office on October 17, 2005.

  
Ann Hickey

IDNR: 7034 / V: 03.05.20 / B: Val



## UNITED STATES PATENT AND TRADEMARK OFFICE

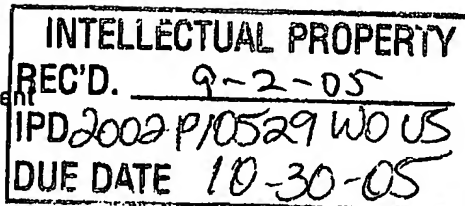
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/527,433	Hans-Jurgen Karnatz	2002P10529WOUS

INTERNATIONAL APPLICATION NO.
PCT/DE03/02775

LA. FILING DATE	PRIORITY DATE
08/20/2003	09/10/2002

Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, NJ 08830



CONFIRMATION NO. 5407  
371 FORMALITIES LETTER  
\*OC000000016888680\*  
\*OC000000016888680\*

Date Mailed: 08/30/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/10/2005
- English Translation of the IA filed on 03/10/2005
- Copy of the International Search Report filed on 03/10/2005
- Copy of IPE Report filed on 03/10/2005
- Preliminary Amendments filed on 03/10/2005
- Information Disclosure Statements filed on 03/10/2005
- Oath or Declaration filed on 03/10/2005
- U.S. Basic National Fees filed on 03/10/2005
- Substitute Specification filed on 03/10/2005
- Priority Documents filed on 03/10/2005
- Specification filed on 03/10/2005
- Claims filed on 03/10/2005
- Abstracts filed on 03/10/2005
- Drawings filed on 03/10/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/527,433	PCT/DE03/02775	2002P10529WOUS

FORM PCT/DO/EO/905 (371 Formalities Notice)

703-746-6703